

### **REMARKS**

Claims 1-15 are pending in this application. Claims 2, 11-13 and 15 are amended to reflect certain informalities. Thus, no new matter has been added.

The Examiner is respectfully requested to enter this Amendment After Final, in that it raises no new issues but merely places the claims in a form to fix certain informalities. In the alternative, the Examiner is respectfully requested to enter this Amendment After Final in that it reduces the issues for appeal.

Reconsideration of this application, as amended, is respectfully requested.

#### **Allowable Subject Matter**

Applicants greatly appreciate the indication of the Examiner for allowing claims 1, 3-8, 10 and 12.

#### **Claim Objections**

The Examiner has objected to claims 2, 9, 11 and 12 for the reasons as noted at page 4 of the Office Action.

To address minor informalities, Applicants have amended these claims. Thus, the objections are rendered obviate. Reconsideration and withdrawal thereof are respectfully requested.

#### **Issue under 35 U.S.C. §112, second paragraph**

The Examiner has rejected claims 13 and 15, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. This rejection is respectfully traversed.

Regarding R<sup>6</sup> of claim 13, "pyridyl group" is added to match the recitation led by the outer parenthesis "(provided that said **pyridyl** group may be optionally substituted with a cyano group or an alkoxy group having 1 to 3 carbon atoms)." This clarification is based on claim 12

reciting "wherein R<sup>6</sup> represents a hydrogen, ... a **pyridyl group**, ... ." R<sup>6</sup> of claim 13 further narrows claim 12. Therefore, there is no scope change of amended claim 13.

Regarding claim 15 further defining Z<sup>1</sup>, Y<sup>1</sup> and Y<sup>2</sup> groups, the dependency thereof is amended to claim 2.

By way of the present submission, the §112, second paragraph rejection is resolved. Reconsideration and withdrawal thereof are respectfully requested.

In view of the above remarks, Applicants believe that the present application is in condition for allowance.

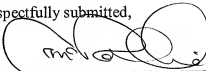
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Craig A. McRobbie, Registration No. 42,874 at the telephone number of the undersigned below to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

NOV 03 2010

Dated: \_\_\_\_\_

Respectfully submitted,



By \_\_\_\_\_  
Craig A. McRobbie  
Registration No.: 42874  
BIRCH, STEWART, KOLASCH & BIRCH, LLP  
8110 Gatehouse Road, Suite 100 East  
P.O. Box 747  
Falls Church, VA 22040-0747  
703-205-8000